

## **Countywide Oversight Board Frequently Asked Questions**

### **GENERAL**

**Question 1: When is the deadline for creating a Countywide Oversight Board (Countywide OB) and when would it become effective?**

**Response:** Countywide Oversight Boards shall be in operation as of July 1, 2018. In order to meet this deadline, the County Auditor-Controller (CAC) should inform the Department of Finance (Finance), prior to July 1, 2018 of the newly-created Countywide OB, its members and who are the main contacts of the OB.

**Question 2: We are planning to create a Countywide OB by July 1, 2018. Do we need to submit anything to Finance?**

**Response:** There is no statutory requirement to submit anything to Finance for the creation of the new board, unless the Countywide OB will be staffed by a City within the County. According to Health and Safety Code (HSC) section 34179 (j), the CAC may select a City within the County to staff the Countywide OB, but only after consulting with Finance. Finance is requesting the Form be completed for informational purposes. In order to inform Finance in an efficient manner, please fill out the Form and submit that completed form to the Redevelopment inbox at [RedevelopmentAdministration@dof.ca.gov](mailto:RedevelopmentAdministration@dof.ca.gov)

**Question 3: There are lots of agencies within one county. Do we all have to be governed by one Countywide OB?**

**Response:** Pursuant to HSC section 34179 (q), in a county where more than 40 OBs were created, there shall be five Countywide OB's. The boundaries of the five Countywide OBs shall correspond to the boundaries of the five county boards of supervisors districts, and each Countywide OB shall have jurisdiction over all the Agencies within its boundaries. On the Form, you will need to delineate which existing Agencies will be overseen by each of the five newly created Countywide OB's. For counties with fewer than 40 OBs, there can be no more than one Countywide OB.

**Question 4: What happens to the current OB?**

**Response:** The current OB of each Agency will dissolve and will no longer have bearing on Agency actions.

**Question 5: Does the current OB have to have one more meeting to approve?**

**Response:** As of July 1, 2018, Finance can only recognize the new OB. If the current OB needs to take action, it will need to do so before July 1, 2018.

**Question 6: If the CAC takes over the administrative function for the OB, will we also be given a RAD App login username and password so we can upload the ROPS and resolutions for the Agency? If so, when will we receive that information?**

**Response:** The Agency will continue to be responsible for the RAD App login and username. If the CAC takes over the administrative function for the OB, the login can be obtained from the individual Agency.

**Question 7: What will happen if a Countywide OB is not created by July 1, 2018?**

**Response:** Without a Countywide OB, the actions of the Agency ROPS (or other OB required approved actions) will not be able to be approved and cannot be submitted to Finance without OB approval.

**Question 8: We are the only Agency in our county, is it necessary for us to submit a form and/or create a Countywide OB?**

**Response:** No, according to HSC section 34179 (l), in each county where there is only one OB, then there will be no change to the composition of that OB. However, Finance still requests the Countywide Oversight Board Information Form for informational purposes.

**Question 9: Now that the Countywide Oversight Board is created, what are our responsibilities?**

**Response:** The creation of the Countywide OB will not change the responsibilities of the OB as outlined in HSC section 34179.

**Question 10: Our Countywide OB will oversee more than one Agency, can we submit more than one Oversight Board Action at a time?**

**Response:** No, HSC section 34179 (h) provides that notification regarding such actions be provided in a manner specified by Finance. Therefore, approved OB resolutions, that have been signed, must be emailed individually (one resolution with supporting documents per email) to Finance and in PDF format unless otherwise specified. Additionally, the subject line should be clear as to what is being submitted and what the resolution is approving (Please include the Agency name, Resolution number, and a brief description of the action).

Please be advised that submitting board meeting minutes will not be accepted as an approved OB action. Only OB resolutions that have been approved and signed by the OB and emailed individually to Finance (in PDF format) will be considered for Finance's review. Once a signed resolution is received in the proper format, Finance will initiate its review of the OB resolution. Please note: Finance does not accept electronic signatures for OB resolutions.

Pursuant to HSC section 34179 (h) (1), oversight boards are not required to submit the following OB actions to Finance for approval: meeting minutes and agendas, administrative budgets, changes in OB membership, transfers of governmental use, or future development property pursuant to an approved Long-Range Property Management Plan (LRPMP). Furthermore, HSC section 34191.5 (f) states actions to implement the disposition of property pursuant to an approved LRPMP shall not require Finance's review.

**Question 11: How should expenses for legal counsel retained by the Countywide OB be paid for?**

**Response:** HSC section 34179 (j) requires CACs to staff the Countywide OB and may pay for all staffing from RPTTF pursuant to HSC sections 34182 and 34183. Finance believes a Countywide OB's legal expenses fits this category and should be borne by the CAC and paid from the CAC's administrative costs. This includes all of the OB's legal costs whether for general advice or if the Countywide OB is named as a defendant in a lawsuit.

The only time the CAC may wind up not paying for Countywide OB legal costs is if a Countywide OB directs a particular Agency to provide additional legal or financial advice under HSC section 34179 (n). HSC section 34179 (n) allows an OB to direct an Agency to provide additional advice. (For example, if the OB needs clarification from the Agency's legal counsel on a matter requested by an Agency.) Any such costs flowing from the Countywide OB asking for the Agency to provide these extra services should be paid by the Agency out of the Agency's administrative cost budget.